

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

February 22, 2007 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR 05-00325HG-01
CASE NAME: UNITED STATES OF AMERICA V. (01) GARY MATSUO
ATTYS FOR PLA: Chris Thomas, AUSA
ATTYS FOR DEFT: (01) Glenn D. Choy, Esq.
U.S.P.O.: Rosanne T. Donohoe

JUDGE: Helen Gillmor

REPORTER: Stephen Platt

DATE: February 22, 2007

TIME: 2:15 - 3:00

COURT ACTION: SENTENCING TO COUNT 1 OF THE INDICTMENT AS TO
DEFENDANT (01) GARY MATSUO -

DEFENDANT (01) GARY MATSUO'S REQUEST FOR
SENTENCE BELOW ADVISORY GUIDELINES -

Defendant is present on bond.
Allocution by the defendant.

Defendant (01) Gary Matsuo's Request for Sentence Below Adivsory Guidelines is
DENIED.

ADJUDGED:

IMPRISONMENT of 140 mos.

SUPERVISED RELEASE: 5 yrs upon the following conditions:

1. That the defendant shall abide by the standard conditions of supervision.
2. That the defendant not commit any crimes, federal, state, or local (mandatory condition).

3. That the defendant not possess illegal controlled substances (mandatory condition).
4. That the defendant shall cooperate in the collection of DNA as directed by the probation officer (mandatory condition).
5. That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter but no more than 8 valid drug tests per month during the term of supervision.
6. That the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
7. That the defendant shall participate in and comply with substance abuse treatment which includes drug and alcohol testing in a program approved by the Probation Office. The defendant is to refrain from the possession and/or use of alcohol while participating in substance abuse treatment.
8. That the defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.
9. That the fine of \$5,000 is due immediately and any remaining balance upon release from confinement be paid during the period of supervision on an installment basis according to the collection policy of the Probation Office but at a rate of not less than 10 percent of his monthly gross income. Interest is waived while the defendant is serving his term of imprisonment and shall commence to accrue on any remaining balance upon his release on supervision.

Special assessment: \$100.00

Advised of rights to appeal the sentence.

MITTIMUS: That the defendant shall surrender for service at the institution designated by the Bureau of Prisons by 2:00 p.m. on April 5, 2007.

RECOMMENDATIONS: That the defendant participate in the 500-Hundred Hour Comprehensive Drug Treatment Program, and educational/vocational training programs.

The Court ordered that the defendant's bail conditions remain in effect until self surrender date.

Submitted by: Mary Rose Feria, Courtroom Manager